315

**IN THE DISTRICT COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, KANSAS**

IN THE MATTER OF

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Juvenile Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_

**Year of Birth \_\_\_\_\_\_\_\_\_\_\_\_ A □ male □ female**

**WAIVER OF DETENTION HEARING**

Pursuant to K.S.A. 38-2331 and 38-2343

*(The juvenile shall initial each item after reading it and understanding it.)*

\_\_\_\_ I understand that the State of Kansas has requested that I be detained;

\_\_\_\_ I understand that the Court may grant the request for detention if it finds the detention risk assessment assessed me as detention-eligible.

\_\_\_\_ I understand that the Court may grant the request for detention even if the detention risk assessment assessed me as not detention-eligible, if the court finds probable cause that community-based alternatives to detention are insufficient to secure my presence at the next hearing.

\_\_\_\_ I understand that the Court may grant the request for detention even if the detention risk assessment assessed me as not detention-eligible, if the court finds probable cause that community-based alternatives to detention are insufficient to protect the physical safety of another person or property.

\_\_\_\_ I understand that if the request for detention is granted I may be placed in a secure facility until further order of the Court;

\_\_\_\_ I understand that I have the right to a hearing on the request for detention, and I may present evidence, call witnesses on my behalf, and testify or decline to testify;

\_\_\_\_ I have talked with my attorney and I do not want to have a hearing on the State’s request for detention and I waive the detention hearing.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Juvenile

**CERTIFICATE OF COUNSEL**

 I am the attorney for the juvenile named above. I have conferred with my client and I believe that my client understands the rights stated above, and the possible consequences of waiving the right to a detention hearing. I believe the foregoing waiver is knowingly and voluntarily executed by my client.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Attorney for Juvenile

 Name, Supreme Court Number

 Address

 Telephone Number

 [Fax Number]

 [E-mail Address]

Authority

K.S.A. 38-2331(a) and 38-2343(c).

Notes on Use

 The juvenile and the juvenile’s attorney may waive the detention hearing, if the court approves. The waiver must be in writing, but the juvenile, or the attorney or parent may reassert the right to a detention hearing, not less than 48 hours prior to trial. K.S.A. 38-2343(b).